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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/761,152	01/20/2004	Edward E. Orner	POLY32	2560
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			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/761,152	Applicant(s) ORNER ET AL.	
	Examiner Kimnhung Nguyen	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-61 and 73 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-61 and 73 is/are rejected.
- 7) ☒ Claim(s) 1,2 and 4-17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This application has been examined. The claims 1, 2, 4-61 and 73 are pending. The examination results are as following.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 19-21, 25-38, 40, 43-57, 61 and 73 are rejected under 35 U.S.C. 102(e) as being anticipated by Omura et al. (US 2003/0001825).

As to claim 73, Omura et al. discloses in fig. 29-30, a support frame for an interactive display, the interactive display vertically adjustable to a desired height located between a bottom height and a top height, the frame comprising:

a base element (616);

a positioning element for the interactive display; and an inherent position locking element; the positioning element providing for a continuous level of vertical adjustment of the interactive display between the bottom height and the top height, the position locking element for the releasable locking of the interactive display at the desired height (see fig. 26, 30).

As to claim 18, Omura et al. discloses in figs. 29-30, a support frame for an interactive display comprising: a base element; a support (603) extending vertically from the base element

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configured to receive an interactive display; and a power source affixed to the support frame for powering the interactive display (201, fig. 29).

As to claim 19, Omura et al. discloses further, a plurality of mobile element (616, fig. 30) mounted on the base element.

As to claims 20, 21, Omura et al. discloses wherein the the support comprise a vertical positioning element (fig. 30), and provides an inherent sufficient force to counterbalance the weight of the interactive display.

As to claim 25, Omura et al. discloses further comprising an interactive display (fig. 29, 30).

As to claims 26, 27, Omura et al. discloses further comprising a plurality of vertical supports (fig. 30).

As to claim 43, Omura et al. discloses further, comprising a computer (104, fig. 27) in communication with the interactive display (201, fig. 29).

As to claims 28-32, 44-48, Omura et al. discloses an inherent the power supply source is rechargeable (see 0248).

As to claims 34-38 are rejected the same reasons as claims 25-27.

As to claim 49, Omura et al. discloses in figs. 29-30, a support frame for interactive display comprising: a base having positionable first and second arms (figs. 29-30); mobile elements (616, fig. 30) mounted to the first and second arms; and a vertically adjustable support extending from the base configured to receive an interactive display (201, fig. 29).

As to claim 50, Omura et al. discloses further wherein the first and second arms of the base element collapse towards the support (figs. 29-30).

As to claim 51, Omura et al. discloses further comprising a power source (619) mounted to the support frame (600, fig. 30).

As to claims 52-57, Omura et al. discloses in figs. 29-30, Omura et al. discloses an inherent the power source (619) is rechargeable (see 0248).

As to claims 33, 40, 61, Omura et al. discloses further, wherein the interactive display is selected from the group consisting of an electronic whiteboard (see display board system 100 , fig. 30).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 22, 23 58, 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Omura et al. (US 2003/0001825).

Omura et al. does not discloses the weight of the interactive display with a force of less than about 25 pounds; or wherein a vertical force of about 1.0 ounce to about 3 pounds repositions the interactive display.

It would have been obvious to for Omura et al.'s system to have the weight of the interactive display with a force of less than about 25 pounds a vertical force of about 1.0 ounce to about 3 pounds repositions the interactive display as claimed since such a modification would have involved a mere change in the weight of a system.

See In re Rose, 105 USPQ 237 (CCPA 1955) and

In re Reven, 156 USPQ 679 (CCPA 1968).

6. Claims 24, 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Omura et al. (US 2003/0001825) in view of Jakobs et al (US 5,300,943).

Omura et al. does not disclose a hydraulic positioning element.

Jakobs et al. discloses in fig. 1, an electronic image processing workstation (1) comprising a support base (10) having adjustments by using the hydraulic system (see col. 8, lines 63-66 and col. 8, lines 22-35).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the hydraulic system as taught by Jakobs et al. into the electronic whiteboard of Omura et al. for producing the claimed invention because this would provide the adjustments are executed with the assistance of built-in electronic motors and actuators that make the system will be cooler when it's operation.

7. Claims 41, 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Omura et al. (US 2003/0001825 A1) in view of Martin (US 2002/0118180).

As to claim 41, Omura et al. does not disclose further comprising a projector for projecting an image onto a surface of the interactive display.

Martin discloses in fig. 1, a interactive graphic system having the image projected by LCD panel (9) and a projector (7) on the board (see 0044).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the projector on the board as taught by Martin into the system of Omura et al. for producing the claimed invention because this would provide the user script and reproduces such information at a sufficient rate that user drawings on the board become interactive (see 0044).

As to claim 42, Omura et al. discloses further, the surface (201, fig. 29) is a touch sensitive surface.

Allowable Subject Matter

8. Claims 1, 2 and 4-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


The following is a statement of reasons for the indication of allowable subject matter: None of the cited art teaches or suggests that a support frame for an interactive display, the interactive display vertical adjustable to a desired height located between a bottom height and a top height, the frame further comprising the positioning element housed within the at least on support, the positioning element configured to receive the interactive display, wherein the positioning element counterbalances the weight of the interactive display allowing for the continuous level of vertical repositioning of the interactive display with a force of less than about 25 pounds as claim 1.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimnhung Nguyen whose telephone number is (571) 272-7698. The examiner can normally be reached on MON-FRI, FROM 8:30 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on (571) 272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Kimnhung Nguyen
Patent Examiner
May 16, 2007